

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	Case No.: 3:07-CR-150-MHT
)	Case No.: 2:08-CR-048-MHT
)	
BENJAMIN S. FOSTER)	

**MOTION TO WITHDRAW AS COUNSEL OF RECORD
AND FOR APPOINTMENT OF CJA PANEL ATTORNEY**

COMES NOW the Undersigned Counsel, Michael J. Petersen, and files this Motion to Withdraw as Counsel of Record and for Appointment of a CJA Panel Attorney on behalf of Defendant, Benjamin Shane Foster. In support of this Motion, Undersigned Counsel states the following:

1. On June 12, 2008, undersigned counsel became aware of a conflict of interest in the undersigned's continued representation of Mr. Foster.
2. Undersigned Counsel requests that CJA panel attorney Jay Taylor be appointed to represent Mr. Foster in all further proceedings in this case. Mr. Foster will not be prejudiced by such a change in counsel at this time, and Mr. Taylor has agreed to accept appointment.

WHEREFORE, Undersigned Counsel respectfully requests that this Motion be granted.

Dated this 13th day of June, 2008.

Respectfully submitted,

s/ Michael J. Petersen
MICHAEL J. PETERSEN
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ASB-5072-E48M

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CERTIFICATE OF SERVICE

I hereby certify that on June 13, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Matthew W. Shepherd, Esq., Assistant United States Attorney.

Respectfully submitted,

s/ Michael J. Petersen
MICHAEL J. PETERSEN
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